

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEW MEXICO

DANNY YANTZ,

Plaintiff,

v.

No: 2:20cv00183 GBW/KRS

ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY,

Defendant.

**STIPULATED ORDER BIFURCATING PLAINTIFF'S CONTRACT CLAIM AND
STAYING DISCOVERY REGARDING EXTRA-CONTRACTUAL CLAIMS**

THIS MATTER having come before the Court upon Allstate Property and Casualty Insurance Company's ("Allstate") Unopposed Motion to Bifurcate Claims and Stay Discovery Regarding Extra-Contractual Claims, and the Court being duly advised,

FINDS:

1. That the Court has jurisdiction over the Parties; and
2. Plaintiff is pursuing a claim for uninsured motorist benefits under his policies and has also alleged bad faith and extra-contractual claims against Allstate; and
3. The parties have agreed to bifurcate the proceedings in the case to allow prompt resolution of the contract claim relating to the liability for the accident and amount, if any, of damages that Plaintiff is legally entitled to recover as a result of the accident.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff Danny Yantz contract claim regarding the amount of damages he is legally entitled to recover for the acts of the alleged underinsured motorist (Count I) is hereby bifurcated from the extra-contractual bad faith and statutory claims (Counts II and III).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all discovery relating to the extra-contractual claims for bad faith and statutory violations is stayed.



UNITED STATES MAGISTRATE JUDGE

Submitted and approved by:

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

By: /s/ Jennifer A. Noya

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By: Approved 4.16.20

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